

joined along a parting line. See Claim 1. Group II of Applicants' invention is directed to a *method of fabricating a ferrule having first and second body portions joined along a parting line.* See Claim 12 and Claim 7. Thus, Groups I and II are related as process of making and product made.

In the above referenced Office Action, the Examiner stated that "the ferrule could be made by a different method such as machining." Office Action mailed July 26, 2001, p. 2, numeral 1. However, Applicants' *ferrule comprising first and second ferrule body portions joined along a parting line* (Group I) can not be made from machining. As is well known in the art, a "parting line" is the line at which two closed dies or two halves of a mold meet. Thus, machining would not make a ferrule with a "parting line."

Accordingly, the Examiner has failed to carry the burden of proof required under MPEP § 806.05(f) to demonstrate that Applicants' apparatus (Group I) as claimed can be made machining. Therefore, the Examiner's restriction requirement limiting prosecution to either Group I or Group II is improper.

REMARKS

In the above referenced Office Action, the Examiner withdrew claims 7-16 from further consideration; rejected claims 1, 5, and 6 under 35 U.S.C. § 102(e) as being anticipated by Edwards et al. (U.S. Patent 5,926,596); and indicated that claims 2-4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As discussed above, the Examiner's restriction requirement limiting prosecution to either Group I or Group II is improper. Accordingly, claims 7-16 can not be withdrawn from further consideration.

Regarding the above § 102(e) rejections, the Examiner stated that:

Edwards et al. discloses (see Figures 1 and 4) a ferrule (10) comprising first and second body portions (14 and 12, respectively) joined along a parting line (as shown in Figure 5) wherein at least one of said ferrule body portions defines at least one optical bore (34) extending lengthwise through the ferrule as illustrated in Figure 4. Furthermore, Edwards et al. discloses that the first ferrule body portion has a first width and the second ferrule body portion has a second width that is smaller than the first width by at least 50 microns as described in column 5, lines 60-61 and column 6, lines 53-56.

In regard to claim 5, Edwards et al. discloses a ferrule wherein the first and second ferrule body portions cooperate to define a ledge extending lengthwise along the parting line as shown in the upper portion of Figure 4.

In regard to claim 6, Edwards et al. discloses a ferrule wherein the first and second ferrule body portions cooperate to define a plurality of optical fiber bores (54) such that the ferrule is a multifiber ferrule as illustrated in Figure 5.

Office Action, p. 4, numeral 3.

Applicants' claim a ferrule that includes, *inter alia*, *first and second ferrule body portions joined along a parting line*, wherein at least one of the ferrule body portions defines at least one optical fiber bore extending lengthwise through the ferrule, wherein the first ferrule body portion has a first width, and wherein the second ferrule body portion has a second width that is smaller than the first width by at least 50 microns. See claim 1 (emphasis added by Applicants). As noted in Applicants' specification:

Rectangular multifiber ferrules are generally formed by injecting a plastic material, such as a thermoplastic or thermoset material, into a *mold cavity defined by a pair of mold halves or components that mate along a parting line*. . .

... [T]he ferrule includes first and second ferrule body portions 12, 14 joined along a parting line 16 that extends lengthwise between the opposed front and rear surfaces 18, 20 of the ferrule. In this regard, the first and second ferrule body portions cooperate to form both a lengthwise extending shaft portion 22 and an enlarged rear portion 24. Although the ferrule can have various shapes and sizes, the ferrule of one advantageous embodiment has a substantially rectangular shape in lateral cross-section.

Specification, p. 3, lines 15-17 and p. 8, lines 17-25 (emphasis added by Applicants). Thus, the first and second body portions join along a parting line.

However, the “parting line” of Edwards et al. cited by the Examiner is not a parting line where two ferrule body portions are joined. Rather, Edwards et al. discloses a precision portion or alignment block 12 and an overmolded body portion 14 that is overmolded onto the precision portion. See Edwards et al., col. 7, lines 5-8 and lines 15-24. As a result, the “parting line” pointed out by the Examiner is not a parting line where two body portions join, but where the precision portion extends out of the overmolded portion. In fact, nowhere in Edwards et al. is a parting line or the joining of two ferrule body portions disclosed or suggested. Thus, the cited reference does not disclose or suggest Applicants’ claimed invention. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 1 under 35 U.S.C. § 102(e). Further, claims 5 and 6 depend upon claim 1, and, therefore, Applicants respectfully request the Examiner to also withdraw the rejection of claims 5 and 6.

Regarding the Examiners’ objections to claims 2-4, they depend upon claim 1 and, therefore for the reasons discussed above, Applicants respectfully request the Examiner to also withdraw the objections of claims 2-4.

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CONCLUSION

All of the Examiner's objections, rejections, and restriction requirement have been overcome. Therefore, Applicants respectfully solicit a Notice of Allowance for claims 1-16.

AUTHORIZATION FOR PAYMENT OF FEES

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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